

**FILED - GR**

July 25, 2024 8:46 AM

CLERK OF COURT

U.S. DISTRICT COURT

WESTERN DISTRICT OF MICHIGAN

BY:JMW SCANNED BY: 148/7/25

**In The United States District Court**

399 Federal Bldg  
110 Michigan St NW  
Grand Rapids MI 49503  
(616) 456-2381

**1:24-cv-754**  
**Jane M. Beckering**  
**U.S. District Judge**

Case # \_\_\_\_\_

Eric Gant, plaintiff  
5068 West Campus Drive, Allendale Michigan  
49401 (616- 268-6403)

V

Judge \_\_\_\_\_

The United States Government, defendant  
1600 Pennsylvania Avenue NW, Washington, DC 20500

**Complaint**

Now Comes Eric Gant, plaintiff per se, initiating a civil suit and states the following:

1. On April 23rd, 2024 president Joe Biden signed a bill that forces the sale of the mobile app TikTok, owned by Byte Dance Inc.
2. The reason the bill was passed was because the United States government believes that the app collects sensitive data from users.
3. Plaintiff Eric Gant states that the bill is unconstitutional and can not be enforced under the 14th amendment, which states that "No state shall make or enforce a law that abridges the rights of citizens."
4. The people have the right to free trade, commerce, and business exchange. The people have the right to contract with TikTok to disclose/exchange the sensitive data. The government does not have the right to regulate private contracts. They can only determine if a contract is binding, legal, or has been breached. They do not have the right to make a law that acts as an agent to determine what type of privacy the users will have. That is up to the user to determine if they agree.
5. Eric Gant now sues for breach of fiduciary duty. The government's gross mistake of legal law concepts constitutes a breach of fiduciary duty they owe the people.
6. Gant also sues for negligence. The government passing a bill that should not have been enacted or appropriated constitutes failure to perform a fiduciary duty, which did cause a grievance such as worry for the app creators and influencers losing opportunity, businesses losing TikTok as a valuable channel to do business through, and all others also lose the opportunity to participate in a great app because of a loss or rights unjustly caused.

7. Gant also sues for deprivation of rights. Under 42 U.S.C section 1982, a plaintiff can bring a civil rights claim for depredation of rights under that section. The inability to enter into a contract with ByteDance known as TikTok. The people should have the right to use TikTok if they consent to an upfront disclosure that TikTok may collect sensitive data, what that data is, and what it is used for.
8. Sources and media say the United States government believes some spies are associated with TikTok and the Chinese government. Plaintiff argues that there has to be a direct connection between TikTok spies and harm to the United States. If the spies collect useless data that is not connected to military insight or secrets, which non military personnel, majority of TikTok users, will never have. Therefore to deprive TikTok from users constitutes a violation of The Freedom of Information Act known as (FOIA). This act pertains to the people having the ability to request public records from any government agency. Therefore the government can not regulate TikTok. The TikTok app is a world wide platform. That constitutes as world events or news. This violates the freedom of information act. Gant now sues on those grounds.
9. Gant also sues for a violation of the people's 1st amendment. Tik tok demonstrates news and current events. The bill that restricts it constitutes a violation of the freedom of the press.
10. Eric Gant now sues in this class action lawsuit on behalf of all whom are affected , will be affected , and has been affected. Gant now sues for a sum of \$100 million and he keeps the first \$20 million.
11. Mr. Gant is also asking for the specific performance or injunction that TikTok not be banned from the United States until the lawsuit is over. It is unconstitutional to deprive the people of something that may not be illegal, which will be proven if the plaintiff is victorious in his lawsuit.
12. Gant is also asking that in the event he wins the lawsuit, that the ban on TikTok be removed.

Date: 07/21/2014

/s/ Eric D. Gant

